

Newberg School District 29J

Code: **JECB**
Adopted: 6/24/02
Readopted: 2/26/07; 2/14/12
Orig. Code(s): 5117

Admission of Nonresident Students

The district may enroll nonresident students as follows:

1. Through written agreement between the district and the student's resident district.
2. Through House Bill 3681, known as "open enrollment."
3. Through payment of tuition.
4. Through a determination by a juvenile court, under circumstances listed in ORS 339.133.

Consent for Admission Through Written Agreement Between Districts

Under this method of consent, the district reserves the right to accept or reject nonresident students based upon, but not limited to, the availability of space, resources, personnel, appropriate programs and a positive review of education records. The student becomes a "resident student" of the district for the school year(s) specified in the agreement. The district shall deny regular school transfers to nonresident students who are under expulsion from another district for a weapons policy violation. The district may deny transfers to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

The superintendent shall develop procedures through which consent by agreement between the resident district and the attending district (Newberg School District) may occur.

Consent for Admission by Tuition or Determination by a Juvenile Court

Tuition charges shall be equivalent to the per student State School Fund amount plus any additional weighting/funding.

The superintendent shall develop procedures through which nonresident or adult students may enroll in the district upon payment of tuition. These procedures shall assure that the admission of tuition students shall not detract from the educational opportunities of students who are residents of the district.

The superintendent may, under certain circumstances, waive tuition for nonresident students, including approved foreign exchange students and students who move from the district.

Per ORS 339.133, if a juvenile court determines it is in the student's best interest or a student placed in a substitute care program outside the district. The student shall continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program shall be responsible for the transportation of the student, if public agency funds are available.

The superintendent shall develop procedures through which proper placement of students transferred via court mandate shall occur.

The district shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. This denial shall supersede any admission by tuition. The district may deny admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation. This denial shall supersede any admission by tuition.

Consent for Admission Via Open Enrollment

Annually, by March 1, the Board shall establish the number of students to whom consent for transfer via “open enrollment” shall be given for the upcoming school year; the number of transfers to which the Board will consent will be one of the following: all transfers, none (zero), all transfers with approved limitations, or a specific quantity of transfers. Approved limitations are limits based on school, grade, geographic area, or a combination of these.

The Board may not deny consent or give priority based on race, religion, sex, sexual orientation, ethnicity, national origin, disability, terms of individual education program, income level, proficiency in the English language or athletic ability. The district shall accept open enrollment transfer requests of nonresident students who are under expulsion from another district for a weapons policy violation, but the district shall deny regular school admission for one year from the expulsion date or for the entire expulsion period if longer than one year. The district shall accept open enrollment transfer requests of nonresident students who are under expulsion from another district for reasons other than a weapons policy violation, and may deny regular school admission for one year from the expulsion date or for the entire expulsion period if longer than one year.

Applications for admission shall be submitted no later than April 1, prior to the year of requested consent.

If the number of students seeking consent exceeds the number of students the Board has determined shall be given admission, admission shall be based on an equitable lottery selection process.

The district is not required to provide transportation outside the boundaries of the district. The student shall be allowed to use existing bus routes and transportation services of the district. Transportation shall be provided if required by federal or state law.

By May 1, the district shall provide written notification of attendance to the district of the student’s legal residence.

The student becomes a “resident student” of the attending district by written consent from the district, until the student graduates, is no longer required to be admitted to school under ORS 339.115, or enrolls in a different school district.

The superintendent shall develop administrative regulations necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 329.485](#)
[ORS 335.090](#)
[ORS 339.115 - 339.133](#)

[ORS 339.141](#)
[ORS 339.250](#)
[ORS 343.221](#)
[ORS 433.267](#)

HB 3681 (2011)

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

Cross Reference(s):

JEC - Admissions